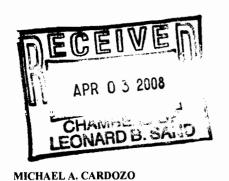
Corporation Counsel





THE CITY OF NEW YORK LAW DEPARTMENT

100 CHURCH STREET NEW YORK, NY 10007 USDC SDN DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED:

> BAREE N. FETT Assistant Corporation Counsel Phone: (212) 788-8343 Fax: (212) 788-9776 bfett@law.nyc.gov

April 3, 2008

BY HAND DELIVERY

Honorable Leonard B. Sand United States District Judge United States Courthouse Southern District of New York 500 Pearl Street, Room 1650 New York, New York 10007

> Re: Robert Jackson v. City of New York, et al. 07 CV 10500 (LBS)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to represent defendants City of New York, Raymond W. Kelly, James O'Connell, Peter O'Neill, Eugene Jonny and Gennaro Santerelli, in this matter. 1 I write to respectfully request an enlargement of time for defendants Eugene Jonny and Gennaro Santerelli to answer or otherwise respond to the complaint to May 14, 2008. Plaintiff's counsel consents to this application.

In the complaint, plaintiff alleges, inter alia, that, as a result of an arrest on May 6, 2005, he was subjected to excessive force by officers of the New York City Police Department. On or about March 13, 2008, the City of New York, Raymond W. Kelly, James O'Connell and Peter O'Neill filed an answer to the complaint.

Defendant officers Eugene Jonny and Gennaro Santerelli were not in receipt of waivers of service with an attached summons and complaint until sometime late in the week of

Upon information and belief, the person identified in the caption as "Police Officer Joseph Keeney," has not been served with process and therefore is not a party to this action.



March 17, 2008. Upon information and belief, this office will assume representation of Jonny and Santerelli, however, additional time is needed to complete the interviews of the officers for purposes of responding to the complaint. However, because the undersigned will be engaged in a trial on the matter of Echo Dixon v. Ragland, et al., 03-CV-0826, before the Honorable Laura Swain in the Southern District of New York, beginning on April 21, 2008, this office will be unable to interview the officers until early in May.

No previous request for an enlargement to answer on behalf of defendants Jonny and Santerelli have been made. Accordingly, we respectfully request an enlargement of time for defendants Eugene Jonny and Gennaro Santerelli to answer or otherwise respond to the complaint to May 14, 2008.

Thank you for your consideration of this request.

ectfully submitted,

Baree N. Fett (BF9416) **Assistant Corporation Counsel**

Cynthia Conti-Cook, Esq., Stoll, Glickman & Bellina (by Fax) cc:

And amount of time to regard to complaint to Pay 14, 2009 Market in chaeno So ardered

MEMO ENDORSED